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JAN 14 2009
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United States District Court

for

2008 AUG 14 PM 12:18

Southern District of Ohio

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION CINCINNATI

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: **Starrett Palmer**Case Number: **1:00CR00090-01**Name of Sentencing Judicial Officer: **The Honorable Sandra S. Beckwith,
Chief United States District Judge**Date of Original Sentence: **February 4, 2008**Original Offense: **Conspiracy to Possess with Intent to Distribute Cocaine Base, in violation of Title 21, U.S.C., Sections 841(a)(1), and 841(b)(1)(A), a Class A Felony.**Original Sentence: **06-13-2001: 63 months imprisonment, followed by 60 months supervised release****03-17-2003: Re-sentencing hearing: 45 months imprisonment, 60 months supervised release.****02-02-2008: Revocation Sentencing: 1 day(s) prison, 36 month(s) supervised release**Type of Supervision: **Term of Supervised Release** Date Supervision Commenced: **February 4, 2008**Assistant U.S. Attorney: **Kenneth L. Parker, Esq.** Defense Attorney: **C. Ransom Hudson, Esq.****PETITIONING THE COURT**

To issue a warrant, and toll the supervision time.
 To issue an Order to Appear and Show Cause
 To grant an exception to revocation without a hearing.

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
#1	Condition #7: You shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotics or other controlled substances, or any paraphernalia related to such substances, except as prescribed by a physician. A urinalysis taken on Mr. Palmer on August 12, 2008, when he was admitted to the hospital revealed the offender was positive for Cocaine.
#2	Additional Condition: The defendant shall participate in a long term residential drug treatment program for a period of fourteen (14) months in a placement selected by his probation officer. The defendant shall remain in the custody of the United States Marshals Service until his placement in a drug treatment program is accomplished. On August 8, 2008, the offender was terminated from the Prospect House-Residential Treatment Program. This writer was advised that the offender failed his room inspection and was being placed on restriction. Subsequently, the offender became belligerent to the staff and the director decided to

terminate him from the program.

U.S. Probation Officer Recommendation: Palmer has failed to comply with the additional condition which ordered that he complete a long term residential treatment program for a period of 14 months. He was terminated from the Prospect House, and chose to engage in illegal drug use instead of utilizing the coping skills he has acquired over the five month period in which he was in the residential treatment program. He was also involved in some type of altercation which caused him to be hospitalized on August 12, 2008, where he remains currently. Palmer is scheduled to be discharged later this afternoon. At this time, he has no fixed residence and presents a flight risk. His active drug use makes him not only a danger to himself, but the community at large. Based on these factors, it is requested that a warrant be issued for his arrest, and that the offender show cause as to why his supervision should not be revoked.

The term of supervision should be

- Revoked.
- Extended for years, for a total term of years.
- Continued based upon the exception to revocation under 18 U.S.C. 3563(e) or 3583(d)
- The conditions of supervision should be modified as follows:

I declare under penalty of perjury that
the foregoing is true and correct.

Executed on August 14, 2008

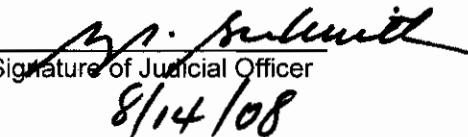

by
Michelle Merrett
U.S. Probation Officer

Approved,


Robert C. Frommeyer Jr.
Supervising U.S. Probation Officer
Date: August 14, 2008

THE COURT ORDERS:

- No Action
- The Court finds that there is probable cause to believe the defendant has violated the conditions of his supervised release and orders the issuance of a Warrant for his arrest. It is further ordered that supervision in this case be tolled pending a violation hearing.
- The Issuance of an Order to Appear and Show Cause
- The Court finds the defendant can benefit from continued substance abuse treatment and grants an exception to revocation. The supervision term of the defendant is continued under all original terms and conditions.
- Other


Signature of Judicial Officer
8/14/08
Date